IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.415 OF 2007
IN
CRIMINAL APPEAL NO.696 OF 2006

Abdul @ Aslam Salim Shaikh ...Applicant.
V/s.
State of Maharashtra & Anr. ...Respondents.

Shri Abhaykumar Apte, adv. for the Applicant.
Smt.S.V.Gajare, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 4th April, 2007.

P.C.:

1. Heard the learned counsel for the parties.

2. The applicant, who is accused no.4 has preferred an appeal through jail. This application is filed for condonation of delay of 113 days in filing the appeal. As the applicant is in jail and he could not get any legal aid, delay was caused. Ms.Gajare, the learned APP has no objection to condone the delay.

3. Therefore, applciation is allowed. Delay in filing appeal is condoned.

(J.H.Bhatia,J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPEAL NO.696 OF 2006

Abdul @ Aslam Salim Shaikh ...Appellant.
V/s.
State of Maharashtra ...Respondent.

Shri Abhaykumar Apte, adv. for the Appellant.
Smt.S.V.Gajare, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 4th April, 2007.

P.C.:

1. Heard the learned counsel for the parties.

2. Admit.

3. The appellant was convicted for the offence punishable under Section 399 and 402 of the I.P.C. and was sentenced to undergo R.I. for 5 years and to pay a fine of Rs.3,000/- and in default to undergo further R.I. for six months on each count. He was also convicted under the Arms Act and was sentenced to undergo S.I. for two years and to pay a fine of Rs.2,000/- and in default to undergo S.I. for six months. The substantive sentences of imprisonment on all the counts was to run concurrently. Mr.Apte, the learned advocate appointed for the appellant, makes a statement that taking into consideration his custody period, he must have already completed his sentences

including sentence in default to pay fine. Mr.Gajare seeks time to get report from the jail authorities as to whether the appellant/accused no.4 is still in jail or he is released.

4. S.O. one week.

5. Meanwhile, office will find out whether other 3 accused, who were also convicted have preferred any appeals. If so, those appeals be also tagged with the present one.

(J.H.Bhatia,J.)